

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Meelad Dezfooli,

Petitioner

v.

Christopher Chestnut,

Respondent

Case No.: 2:24-cv-01108-APG-EJY

Order Dismissing Petition for Writ of Habeas
Corpus without Prejudice

Petitioner Meelad Dezfooli, a pretrial detainee in federal custody, seeks habeas relief under 28 U.S.C. § 2241 in relation to the revocation of pretrial release in his federal criminal matter. ECF No. 1-1; *see* 2:22-cr-00142-RFB-DJA at ECF No. 152.¹ He paid the filing fee, so his application to proceed *in forma pauperis* is denied as moot. ECF No. 1. For reasons that follow, the petition is dismissed without prejudice.

Background

In June 2020, Dezfooli was charged in federal court with 8 counts including bank fraud and money laundering in connection with loans obtained under the Covid-era Paycheck Protection Program (“PPP”). On November 16, 2023, the court granted the Government’s motion to revoke pretrial release and detain defendant pending trial. 2:22-cr-00142-RFB-DJA at ECF No. 84. The court concluded that the Government demonstrated probable cause that Dezfooli engaged in money laundering (violating federal law) and gambling (violating conditions of release) and thus revoked his pretrial release. Recently, on May 6, 2024, the court denied Dezfooli’s motion to reopen detention hearing. *Id.* at ECF No. 152.

¹ The court takes judicial notice of the docket in case number 2:22-cr-00142-RFB-DJA.

Discussion

Dezfooli asks this court for “immediate outright release from detention” in his criminal case. ECF No. 1-1 at 8. But this court lacks jurisdiction to direct another federal district court to take any action in an ongoing, separate, criminal case. Dezfooli contends that his pretrial detention in his criminal case is hampering his ability to preserve business records and identify and locate witnesses in that case. ECF No. 4. So he maintains that he seeks relief regarding “issues not pending in the criminal trial.” *Id.* at 4. Of course this is not accurate because he is complaining that his pretrial detention in the criminal case is interfering with his ability to defend himself in his criminal case. This is an issue for the consideration of the judge in the criminal matter.

Even as a practical matter, this court cannot, in a habeas proceeding, sit in judgment of the court’s decision in Dezfooli’s criminal case. If Dezfooli prevailed in this case, the only remedy available would be an order directing his custodian to disregard the order of another judge in this court, which would put the custodian in the position of having to disobey one of the court’s two orders. Because this court is unable to provide Dezfooli any habeas relief, this case must be dismissed.

Finally, the court notes that any relief that a petitioner seeks by this court must be raised in a motion filed with the court. Letters or other contact with the court, court staff or the Clerk of Court will not be considered and will not receive a response.

Conclusion

I THEREFORE ORDER that petitioner's application to proceed *in forma pauperis* [ECF No. 1] is **DENIED** as moot.

I FURTHER ORDER that the petition is **DISMISSED** without prejudice.

I FURTHER ORDER that a certificate of appealability will not issue.

I FURTHER ORDER that the Clerk of Court enter final judgment dismissing this petition and close this case.

DATED this 1st day of July, 2024.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE